

What this resolution does is ensure that Congress is fulfilling one of our most basic functions. It calls for at least three hearings a year, one every 120 days, on the topic of waste, fraud, abuse and mismanagement.

This is an opportunity to show our constituents that we are serious about changing Washington and putting an end to the reckless and dangerous spending that in part helped create the unfortunate economic environment in which we find ourselves.

Many of us campaigned that we would come here to do our best to change Washington; taking steps to eliminate waste, fraud and abuse is a good start.

This is a good resolution that protects taxpayer dollars. I urge my colleagues to support H. Res. 40.

Mr. DRIEHAUS. Mr. Speaker, the American people sent the 111th Congress to Washington based on the promise that we would make government work again for every single person in this country. We cannot work to fulfill that promise if the government programs that we control are riddled with abuse and mismanagement. The reports of waste, fraud and abuse that have permeated the Federal Government are staggering. If we are going to change the way things are done in Washington, our first step must be to clean our own house. We need to put in place real oversight so that we can root out the problems where they exist. We need increased transparency so that government is held accountable by the people it serves. We need to change the business-as-usual attitude that has led to a culture of corruption and complacency in Washington. House Resolution 40 is an important part of our commitment to do right by the people who sent us here, and I applaud my friends from Tennessee and California for their leadership on this issue.

Mr. CARDOZA. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the rules and agree to the resolution, H. Res. 40, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CARDOZA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PROVIDING FOR CONSIDERATION OF H.R. 384, TARP REFORM AND ACCOUNTABILITY ACT OF 2009

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 53 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 53

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the

Whole House on the state of the Union for consideration of the bill (H.R. 384) to reform the Troubled Assets Relief Program of the Secretary of the Treasury and ensure accountability under such Program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 of rule XXI. General debate shall be confined to the bill and shall not exceed 2 hours equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 53.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 53 provides for the initial consideration of H.R. 384, the TARP Reform and Accountability Act of 2009.

The rule provides for 2 hours of general debate to be controlled by the Chair and ranking minority member of the Committee on Financial Services. After the general debate, there will be no further consideration of the bill except pursuant to a subsequent rule.

Let me be clear: this rule provides for general debate only. The Rules Committee is meeting right now to consider amendments. Tomorrow, I expect the House will vote on several amendments, Democratic and Republican, to the bill.

Mr. Speaker, I rise today in support of H.R. 384, the TARP Reform and Accountability Act. I commend Chairman BARNEY FRANK and the Financial Services Committee for their steadfast commitment to reviving our Nation's economy.

Last September, the Bush administration sounded the alarm that our financial system was dangerously close to collapse. Treasury Secretary Paulson came to Congress with an astronomical funding request that he said would free up the credit markets and would prevent a bad situation from getting worse. The Bush administration asked for a \$700 billion blank check with no strings attached.

Over the following weeks, Speaker PELOSI and Chairman FRANK and the House Democratic leadership, along with Senate leaders and then-Senator Obama, worked with the Bush administration on a compromise that became the Troubled Asset Relief Program, or

TARP. The TARP provided \$700 billion in two stages—\$350 billion up front and another \$350 billion when requested by the administration.

Now, I opposed the administration's original request for a blank check, but I voted for the compromise because I took Secretary Paulson at his word that this money would be spent where it was needed. Specifically, funding would go to homeowners and to banks that were feeling the pressures of a tightening credit market. Unfortunately, the Bush administration gave most of this money to the big banks that continue to sit on too much of the money instead of lending it out to other institutions and individuals.

The stunning fact is that, of the \$250 billion provided in direct assistance to banks, only \$62.5 billion has been spent. That means that the banks are still sitting on \$187.5 billion. In my opinion, that is simply not good enough.

This economic crisis is real. This housing crisis is real, and it's not getting better. One in ten American homeowners with a mortgage was either behind in payments or was in foreclosure at the end of September. Predictions in December were that more than 8 million foreclosures, 16 percent of all U.S. mortgages, would occur over the next 4 years if nothing is done. That is quite a record for the outgoing administration.

Now, Chairman FRANK will be the first to say that we don't know how bad the economy would be if the first \$350 billion of TARP would not have been spent by the Bush administration, but we do know that it could have been spent more wisely.

The American public simply does not trust the current administration to do the right thing, and rightfully so, I should add. Through the bill we will consider later today and tomorrow, this new Congress will attempt to right the many wrongs surrounding the TARP.

We not only need better oversight on the second set of TARP funds; we also need to provide a real blueprint for how these funds are to be spent. The Bush administration clearly failed on this point, but H.R. 384 is a step in the right direction.

The bill before us today not only modifies the TARP and the TARP oversight, but it requires that between \$40 billion and \$100 billion be used for foreclosure mitigation. By March 15, 2009, the Treasury Secretary must establish a TARP Financial Stability Oversight Board approved plan to be implemented no later than April 1, 2009.

Our priority is keeping American families in their homes. While I hope the Senate will pass this bill and that President-elect Obama will sign it after he takes office, it is important that we, in the House at least, signal our intent on how this funding should be spent.

□ 1530

President-elect Obama has said that he will actually listen to and consult

with Congress on important issues. And won't that be a welcome change from the current administration? I strongly disagree with those who say President-elect Obama simply requested the funds but doesn't have a plan on how to spend these funds wisely.

The incoming National Economic Adviser, Larry Summers, recently sent a letter outlining President-elect Obama's priorities and expectations for the second set of TARP funds. Those priorities are reflected in the bill we will consider today and tomorrow.

I will insert Secretary Summers' letter into the RECORD following my remarks.

While we should take President Obama and his adviser at their word, we should not do so blindly. Trust but verify, and that is what we will do.

Mr. Speaker, my constituents are frustrated and frightened. Many are afraid that they will lose their homes and that their lives will be turned upside down. These are good, honest, hardworking people who have fallen on hard times. Some tell me that they have been to their lenders, many times, in an effort to prevent foreclosure, only to be told, "There is no help available. Simply wait to default." That's not right, and with this bill, we will address this problem.

Our economy won't get better overnight, but it can get worse. This funding is needed, but we cannot release it without a plan on how it will be spent. The economy is not just about banks and investment houses. It's not just about Wall Street. It's about the small businesses and community lenders on Main Street. It's about the families and individuals trying to make a living and improve their lives on the side streets. Allowing banks to hoard taxpayer money, as the Bush administration has done, doesn't help the people in Worcester and Attleboro and Fall River. But dedicating funds to help the mortgage crisis and move money through the credit markets is exactly what is needed, and this bill will do that.

I strongly support Chairman FRANK's bill, and I support the incoming administration's stated goals, and I urge my colleagues to vote for this bill.

THE OFFICE OF THE PRESIDENT-ELECT,  
Washington, DC, January 12, 2009.

Hon. NANCY PELOSI,  
*Speaker,*  
*House of Representatives.*

Hon. JOHN BOEHNER,  
*Republican Leader,*  
*House of Representatives.*

Hon. HARRY REID,  
*Majority Leader,*  
*U.S. Senate.*

Hon. MITCH MCCONNELL,  
*Republican Leader,*  
*U.S. Senate.*

DEAR MADAM SPEAKER, LEADER BOEHNER, LEADER REID, AND LEADER MCCONNELL: As the President-elect recently stated, "we start 2009 in the midst of a crisis unlike any other we have seen in our lifetime." He strongly believes that while the American Recovery and Reinvestment plan is critical,

it alone will not solve all the problems that led us into this crisis. We must work with the same sense of urgency to stabilize and repair the financial system to address his primary concern: that we maintain the flow of credit that families and businesses depend on to keep our economy strong. It was that concern that led the President-elect to support the financial rescue plan back in September. If we had not all acted together—Democrats and Republicans—this economic crisis would have already become an economic catastrophe, with even more jobs lost and more businesses closed.

But the President-elect also shares the frustration of the American people that we have seen too little effect from this rescue plan on jobs, incomes, and the ability of responsible homeowners to stay in their homes. He believes the American people are right to be angry with the way this plan has been implemented. President-elect Obama believes there has been too little transparency and accountability; too much upside for financial institutions and executives who acted irresponsibly without providing enough help for small business owners, families who are struggling to keep their jobs and make ends meet, and innocent homeowners.

That will change when President-elect Obama takes office. Today, he is asking for the authority to implement the rest of the financial rescue plan because the American people need to know that going forward our government has the resources to do whatever is necessary to stabilize our financial system and protect our economy from a potential catastrophe. With the first half of the rescue package now committed, President-elect Obama believes the need is imminent and urgent. We cannot afford to wait.

It is important that we act both quickly and wisely. The President-elect is committed to using the full arsenal of tools available to us to get credit flowing again to families and businesses. He will ask his Department of Treasury to put in place strict and sensible conditions on CEO compensation and dividend payments until taxpayers get their money back. He will also direct them to ensure that assistance goes not just to large financial institutions, but that we put forward a comprehensive effort to get funds flowing again to community banks; the small business owner who has perfect credit but can't get a loan to make payroll; the student who can't get financial assistance for college; and the consumer who wants to buy a car. He will also do more to help Americans who are seeing their home values plummet as a result of this foreclosure crisis. And he will make sure that the American people can see how and where this money is spent so they can hold us accountable for the results. Those are the changes the American people are demanding, and those are the changes that President-elect Obama is committed to making happen. In particular, he will call for:

1. Use Our Full Arsenal of Tools to Get Credit Flowing Again to Families and Business: The President-elect believes we must take all necessary steps to protect the integrity of our financial system and prevent the failure of financial institutions that would have catastrophic effects of our economy. We must also do everything in our power to ensure our efforts are more directly reaching Main Street. It is neither right nor sound economic policy to allow the small businesses that are responsible for more than two-thirds of job creation and entrepreneurs and who have worked hard and played by the rules to be victims of this credit crisis that they were not responsible for creating. We will work in close cooperation with the Congress, the Federal Reserve and other agencies to strengthen financial institutions and

restart lending for small businesses, auto purchases, and municipalities.

2. Reform Our System of Oversight, Regulation and Management of Financial Crises: President-elect Obama is committed to ensuring a full and accurate accounting of how the Treasury Department has allocated the funds spent to date and going forward. And we will report on a continuous basis the earnings and repayments the federal government receives from financial institutions who have been recipients of financial rescue assistance. We will work with Congress to strengthen oversight and move quickly to reform a weak and outdated regulatory system to better protect consumers, investors and businesses. And we will operate as one government with strong coordination among all major financial regulators. He has asked his Treasury Department and economic team to analyze the recommendations of the Congressional Oversight Panel and other oversight bodies and implement those we believe will make the program more effective. And since this is a global crisis, we will work with the G-8 and within the G-20 to ensure international coordination on recovery, financial and regulatory policies.

3. Launch a Sweeping Effort to Address the Foreclosure Crisis: The President-elect has directed his White House and Cabinet to work with Congress immediately to implement smart, aggressive policies to reduce the number of preventable foreclosures by helping to reduce mortgage payments for economically stressed but responsible homeowners while also reforming our bankruptcy laws and strengthening existing housing initiatives like Hope for Homeowners. Confronting this challenge is an absolute imperative if we are to restore the health of our housing sector and the financial system as a whole.

4. Impose Tough and Transparent Conditions on Firms Receiving Taxpayer Assistance: The President-elect has directed his Treasury Department to monitor, measure and track what is happening to lending by recipients of our financial rescue assistance. We will ensure that resources are directed to increasing lending and preventing new financial crises and not to enriching shareholders or executives. Those receiving exceptional assistance will be subject to tough but sensible conditions that limit executive compensation until taxpayer money is paid back, ban dividend payments beyond de minimis amounts, and put limits on stock buybacks and the acquisition of already financially strong companies. Finally, our actions must always support rather than impede the orderly restructuring of our financial system.

5. Maximize the Role of Private Capital and Plan for Exit of Government Intervention: We will invest taxpayer money only when sufficient private capital cannot be attracted. We will seek to replace investments made by the U.S. Government with private investment as quickly as possible.

President-elect Obama believes it is not too late to change course, but it will be if we don't take dramatic action as soon as possible. We cannot allow the failures of the past to prevent us from doing what we must to secure America's future. The President-elect is committed to working closely together with the Congress on all aspects of our financial recovery plan—both for financial stability and for jobs and economic growth—until we, together, help our nation pass through this economic storm.

Sincerely,

LAWRENCE SUMMERS,  
*Director-designate,*  
*National Economic Council.*

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I would like to begin by expressing my appreciation to my friend from Worcester, the distinguished vice chairman of the Committee on Rules, Mr. MCGOVERN, for yielding me the customary 30 minutes.

Mr. Speaker, when Congress passed the financial rescue bill, we only released half the funds. We put in place a mechanism requiring the President to come back to Congress to ask for the second half of taxpayers' dollars. This was necessary to ensure accountability to the process, and I strongly supported the notion of not providing a \$700 billion blank check. The actions of the Treasury would have to be justified under this new structure that we have. If Congress wasn't convinced that the initial money was wisely and appropriately spent, we would have the opportunity to block the release of the remaining funds.

Mr. Speaker, I, for one, am one who is not yet convinced. Very serious questions have been raised regarding the handling of this program. Where has the money gone? How have the recipients of assistance used these taxpayer dollars? What protections and safeguards have been put into place? What mistakes have been made, and what are the lessons learned? Has this program been effective? Should it be modified? Are the remaining funds necessary?

These are all critically important questions that must be investigated and must be answered. It would be downright reckless to release another \$350 billion without a thorough vetting of these very tough issues.

Unfortunately, the Democratic majority is not interested in that thorough vetting about which I've just spoken. The underlying bill, we're told, is intended to restructure the financial rescue program to bring more accountability and transparency to the process, yet not one single hearing has been held on this bill. No markup was held, no opportunity to hear expert testimony or receive input from our constituents.

Mr. Speaker, the Financial Services Committee is just in the process of organizing. I think they may have done so today. But they've not gone so far as actually putting all of their subcommittees into place. Yet somehow, they are ready to magically fix the Troubled Assets Relief Program and adequately address all of the questions that I just outlined here.

Again, Mr. Speaker, I am not convinced. With all of the talk of bailouts and trillion dollar stimulus bills, some of my colleagues may have grown accustomed to the idea of very, very extravagant spending. I know this may be perverse, but I still consider \$350 billion to be an enormous amount of taxpayer dollars. We can't be so cavalier with the American people's hard-

earned money that we would ignore very serious questions about how such a large sum would be spent.

While the underlying bill does not release this money, it does set the stage for it to be released. Today's bill is meant to assuage concerns about the financial program and give the veneer—and it is nothing more than a veneer—of transparency and accountability. It's meant to provide, with all due respect, political cover.

When we do vote on releasing the new funds, the Democratic majority wants to be able to say that it's not writing a blank check. They want to be able to say that they fixed the process and responded to the concerns that have been raised. I would say to my colleagues, don't be fooled.

This is a hastily written bill, and we saw a very, very contentious exchange in the Rules Committee last night that underscored that. It's been hastily written, and it has never been subjected to scrutiny, as our colleagues on the Financial Services Committee made very clear last night.

Congress was right to reserve the ability to block funding for this program until proper oversight could be conducted. We should not shirk our obligation to exercise that authority. We should not be so gullible as to believe that transparency and accountability can be enhanced by a completely closed and irresponsible process.

Mr. Speaker, as we've all been saying, the economic crisis that we face today is clearly our biggest challenge, and we all feel—Democrat and Republican alike—a sense of urgency in addressing it.

Mr. Speaker, urgency does not preclude responsibility. We are not asking for a needlessly lengthy process. We're simply asking for some semblance, some semblance of due process at all. Those who argue that we must act immediately on this bill should consider the statement of our colleague (Mr. FRANK) when he said to the press yesterday as the author of this legislation, he indicated that it would likely never become law. He last night said the same to our Rules Committee.

Rather than rushing to dispense with an exercise in futility, we should be conducting true oversight and developing a real solution.

The only way to responsibly and effectively address the concerns that have been raised is to have a full, open, and accountable process. We need a bill that is developed through public hearings and a committee markup, through bipartisan collaboration—something that we just saw with the resolution that is going to pass and passed on voice vote here, the last measure we just went through—this can be done. But we need to do this very, very important issue of addressing this \$350 billion through a process that is bipartisan with collaboration and real debate.

Mr. Speaker, it saddens me to say that this bill fails on all counts. I urge

my colleagues to vote against the rule. This rule is simply going to allow for general debate. Right now the Rules Committee is hearing proposed amendments to this measure, and I know that in excess of 70 amendments have been submitted to the committee. But I will say that regardless of how those turn out, the fact that we have ignored completely the committee structure, the deliberative process that should be used for this, leads me to urge my colleagues to oppose this measure.

Mr. MCGOVERN. Mr. Speaker, I just would like to make the record clear for my colleagues who are listening to this debate.

Chairman FRANK has held numerous hearings on this issue before the TARP legislation became law, during the implementation process, during our break. I mean, he and his incredible staff have been working nonstop monitoring this issue, letting colleagues know what is happening on this issue. So I don't want anybody to come away from this debate thinking that nothing has been going on, that no monitoring has been going on.

The bill that is before us today is a product of the concern and the frustration and the disappointment with the way this administration has been implementing this.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. Let me finish my statement.

That is what the product before us today is.

And I should further state, Mr. Speaker, that we do have an urgent situation. I hear numerous people say that we have time to delay, delay, and delay. As we speak there are people in my district—and I would say, Mr. DREIER, there are probably people in your district who are about to lose their homes.

People are looking for help, and we need to respond immediately. We do need to do so responsibly. So the days of delay and indifference are gone with a Democratic majority and a new Democratic President.

We believe that President-elect Obama will do the things that we all think are important to do. The point of this legislation is to make it clear to him that we expect him to do that. And we would like the Senate to act. But as the gentleman from California has said many times to me over the years when I have raised the issue about action we have taken on the House floor when I believed the Senate would not take action, I would always be reminded that we should not be precluded from taking action on something just because what the other body may or may not do.

I want the House of Representatives to lead on this issue. I want us to make it clear that we care about those people on Main Street who are losing their homes, we care about those small businesses that can't get credit. This is an urgent situation.

I yield the gentleman 30 seconds.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me quickly say that I recognize that action in the 110th Congress was taken, and I herald that. We have many new Members on both sides of the aisle. This is a new Congress, and the notion of completely throwing regular order out the window when it comes to the question of dealing with \$350 billion is wrong.

Yes, I have constituents who are losing their homes, just as all of our colleagues do, and that's why I believe we need to responsibly come forward and ensure that the taxpayer dollars that are involved will go directly to eliminate this problem. And that's what my concern is, that we, in fact, are not allowing that to take place with the kind of deliberation that regular order in this institution calls for.

Mr. MCGOVERN. Mr. Speaker, these are extraordinary times. This bill directs the next President of the United States on how to spend the money. And this bill specifically says that a minimum of \$40 billion has to go to dealing with the mortgage foreclosure crisis in this country.

So if we want to take action and make sure that the next President takes the right action, we need to support this bill. The days of delay, the days of indifference, the days of putting off our problems are gone. We have a new President and a new Congress that is going to respond to these problems and fix these problems.

Mr. Speaker, I would like to yield 2 minutes to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I rise in support of H.R. 384, the Troubled Assets Recovery Program Reform Act of 2008 and thank Chairman FRANK for drafting this bill.

In response to the minority leader, we're all very disappointed with this administration. We actually asked for accountability and oversight on this bill, but it didn't happen.

The taxpayers want to know what happens to the \$350-some billion, and we are all very much concerned how that money is used. That's why this bill has been redrafted—to make sure that we have the kind of accountability and oversight that needs to be in place. If we don't act, more and more people are going to suffer.

That's why I wanted to thank Chairman FRANK for supporting the amendments, especially on the intended protection credit union parity and then the original public/private partnership, which I offered in this legislation.

I also want to submit a longer statement on record for these amendments.

□ 1545

Families in my district—and of course the minority leader also has family in his district—are suffering while the Nation's unemployment is at 7 percent and it's 10 percent in my district, and it's expected to climb up to 12 percent by the year 2010. The largest

credit union in my district, Arrowhead, just closed 12 branches and reduced its operating budget by 10 percent. And the San Bernardino and Riverside area has the fifth highest foreclosure in the Nation.

Congress created TARP to restore our economy and provide foreclosure assistance to families in need, not to subsidize banks. H.R. 384 corrects this lack of accountability and ensures that the second round of TARP funding maximizes the assistance to homeowners, where it should be going.

I urge my colleagues to support H.R. 384 so that we may improve the health of our housing sector and local economy. And I ask them to support this rule as well.

Mr. Speaker, I rise in support of H.R. 384 because this legislation sets necessary requirements for how Treasury should draw down the remaining half of the TARP funds with new oversight and accountability provisions. It also includes important measures to ensure the TARP program maximizes assistance to homeowners, minimizes foreclosures, and targets resources for underserved communities as Congress originally intended. My bill, H.R. 472, the Family Foreclosure Rescue Corporation also gives Treasury the authority to carry out these functions, so I am pleased they are included in this Act.

In addition to these important provisions, I want to thank Chairman FRANK for including the following three amendments which I offered in the manager's amendment. I believe they will go far in further addressing the health of our housing sector and local economies.

The first of these is an amendment I worked on with Representative KEITH ELLISON that would require tenants in good standing to get adequate notice to vacate properties in foreclosure as well as to assure continued Federal housing assistance for Section 8 voucher holders who lose their homes due to foreclosure. This is especially important in light of the fact that foreclosures are resulting in evictions of homeowners as well as renters whose landlords/property owners can no longer make mortgage payments. Further, the majority of the households who are facing eviction due to foreclosure, homeowners and renters alike, are low income. As the number of people in poverty grows, the number of homeless people could rise by approximately 800,000 people per year. In my district, there are more than 7,000 people in San Bernardino County who are homeless. We must do all that we can to help those who are suffering the most so I am pleased that this bill includes these important protections.

I am also pleased H.R. 384 includes an amendment that I sponsored to enable credit unions to participate in TARP. When Congress enacted the Emergency Economic Stabilization Act, EESA, in October, credit unions were included among the institutions eligible to participate in the TARP Program. However, when Treasury decided to inject capital into financial institutions, instead of purchasing troubled assets, credit unions were effectively shut out of the program. Credit unions in my district are telling me they can't access TARP funds and that they need assistance. The largest credit union in my district, Arrowhead credit union just closed four branches and reduced its operating budget by 10 percent. The problem is

that credit unions are generally not permitted by law to accept outside forms of capital. That is why I am appreciative of Chairman FRANK's willingness to include my amendment which would permit credit unions to count assistance that they receive from the Federal Government and State Governments as capital for the purposes of prompt corrective action. This amendment to the Federal Credit Union Act would permit those credit unions that need to participate in TARP to have access to the funds, just as other depository institutions do.

The third amendment I offered would help to stabilize the local economy of areas like the Inland Empire and I want to thank Representative JERRY LEWIS and KEN CALVERT for their support. The California Inland Empire where my district resides has some of the Nation's highest foreclosure rates and steepest decline in housing prices. In response, the counties of San Bernardino and Riverside, along with more than 15 cities within their borders, and over 30 businesses have come together to create the Inland Empire Economic Recovery Corporation, a public-private partnership to keep families in their homes and to restore neighborhoods and communities. This partnership works by leveraging local investment money to purchase and manage local assets. Once purchased, regional partners with the housing market expertise and the financial flexibility will be able to work closely with homeowners to keep them in their homes where outside investors cannot. A regional approach allows partnerships to manage local mortgage assets, thereby stabilizing local economies and maximizing taxpayer's investments. That is why I proposed language that will allow Treasury to consider these regional public-private partnerships when creating their loan purchase program. Giving public-private partnerships the opportunity to partner with Treasury when purchasing, refinancing, and disposing of these loans will keep families in their homes, stabilize communities, and help us achieve the greatest return on our taxpayer dollars.

I thank the chairman once again for his assistance on these amendments which I believe will further address the health of our housing sector and local economies. I urge my colleagues to support H.R. 384.

Mr. DREIER. Mr. Speaker, at this time, I am very happy to yield 3 minutes to our hardworking colleague from Humble, Texas, Judge POE.

Mr. POE of Texas. I thank the gentleman for yielding.

Mr. Speaker, we are a bailout Nation, the Nation of handouts, the Nation of gimmees. The entitlement mentality has swept this country, especially last year, and it has done so, more importantly, with the elites, like the banks who think they are entitled to somebody else's money, taxpayer money. The banks have been given \$350 billion and they're back for more, yet they refuse to tell us what they did with the first \$350 billion, even though we wanted them to.

All of us have gone to a bank to get a loan. First we fill out all that paperwork and sign our life away, but they ask us one question, what are you going to spend the money on? And then they may or may not give us a loan. But no such deal when we're dealing

with banks and the people are loaning banks money. They just show up with their hand out, want the money, and refuse to tell us what they're going to do with the money or what they did with the money.

In this decade alone, Federal Government spending has grown 57 percent, \$1.2 trillion, and the American taxpayers, of course, pay the bill. According to the book "Bailout Nation," the bailouts of 2008, last year, cost Americans more than the Marshall Plan, the Louisiana Purchase, the Korean war, the Vietnam war, the Iraq war, the Afghanistan war, NASA, the race to the moon, the New Deal, and the savings and loan crisis combined; the largest example of government spending in American history and we still have no positive results from these bailouts. The economy is not significantly better, and the stock markets continue to drop.

So rather than say "bailouts aren't working, so maybe we ought to do something else," it seems our mentality is, "well, let's give them more bailout money and maybe that will work." I think that's irrational. And of course we don't have the money, we can't afford these bailouts. We're spending somebody else's money, the American taxpayer money, the middle class especially.

We have all seen these big motor homes lumbering down the freeways that have a little bumper sticker on the back that says, "We're spending our children's inheritance." Oh, we think that's kind of cute and funny, but we ought to put a sign right out here on the Capitol grounds that says, "Uncle Sam is spending your children's and grandchildren's inheritance." It seems like that is more appropo than what's taking place here; it's the philosophy that government knows better how to spend the taxpayers' money than the taxpayer. I think that's fundamentally wrong.

It's time for maybe us to rethink this idea of taking taxpayer money and giving it to certain special interest groups—the banking industry—because government bailouts have not solved our problems, it creates them.

The best thing we can do with this bailout money is not spend it—not spend it yet, for sure—maybe even send the money back where it belongs, and that's to the American people; it's our money to manage, but it belongs to the American people.

Mr. MCGOVERN. Mr. Speaker, I just want to repeat a fact that I had mentioned during my opening speech. One in 10 American homeowners with a mortgage were either a month or more behind on payments or in foreclosure at the end of September. Predictions in December were that more than eight million foreclosures would occur over the next 4 years if nothing is done, which is 16 percent of all U.S. mortgages.

National foreclosure rates in November of 2008 were 28 percent higher than

in November of 2007, with California suffering the highest foreclosure increase, up by 51 percent from the year before.

This bill provides necessary provisions to perform oversight, impose restrictions, and require reports from financial institutions receiving funding, all of which was initially intended, but the Treasury failed to do. This bill also requires that a minimum amount be spent on mortgage foreclosure to help with mortgage foreclosure relief.

The notion that we can do nothing in the face of this crisis is stunning. So I would urge my colleagues to read the bill that Chairman FRANK has put forward. And whether or not you want to support the release of the additional TARP money or not, at least vote for this bill so you can guarantee that there are strings attached to it.

Mr. Speaker, at this time, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. There is a term that many of us use in our respective communities—maybe sometimes even parents use the terminology when they've given their child a chance and that child then reneges on any commitment that they've made, we feel we've been burned. And my colleague's words from the other side of the aisle speaks from that perspective, that the American people and this Congress were burned. We yielded to the cry of this last administration that they were desperate, that the calamity of the economic crisis was going to overtake us. We did what we thought was best for the American people. So I understand those feelings and those sentiments. But we have a new day and a new President.

In a few days, we will swear into the Presidency Barack Obama. In doing so, we have to work as a team. And this President-elect has asked this Congress to work with him to restore the faith and confidence and integrity in the economic system, and to restore the city of hope to this Nation. And that is what we're attempting to do today.

And we appreciate the work that has been done, and there should be more work. But in this bill there are limitations on executive compensation. In this bill there is an allotment that is set aside for mortgage workout. And I look forward to joining with my colleague, Congresswoman KAPTUR, in the request for more monies for the mortgage workout because of the millions and millions of people who are losing their homes. And frankly, I think the banks should be restrained in some of their predatory lending; more work needs to be done on that.

But in this bill we have the Office of Minority and Women inclusion so that small businesses and minorities and women can be included not only in the workouts and business aspects, but they can also be in line for loans. I

worked with the committee to ensure that privately owned banks could receive this funding because in the last giveaway big banks received the money not knowing where the money went, and our community banks and private banks, where people go and get credit to help them in their community, were left holding the bag, the empty bag.

And so we have legislation that there are restrictions to it. There are restrictions, as I said, to the compensation. There is the idea of investing in the community. There is a requirement that there must be a certification as to why monies can't be spent on mortgage workout.

I hope that as this bill makes its way to the White House, the reporting feature that indicates that the Treasury Department should report to Congress in 6 months should be lessened to 90 days. We don't need to let them sit on the money for that period of time and not tell us what's going on. But there is a reporting feature, and that is more than what happened when we were burned.

And so today, Mr. Speaker, I think it is important to note that we come forward with a bill that gives instruction, that it gives requirements on behalf of the American people. It is not a giveaway where we don't know where the money is being spent.

And finally, I hope an amendment will be passed that will require the Treasury to tell us how that money is being spent, and I hope that amendment will be accepted. We need to move forward to help the American people.

Thank you, Mr. Speaker, for affording me this opportunity to address the Rules Committee in support of the Manager's amendment to H.R. 384, the Troubled Assets Relief Program, TARP, Reform and Accountability Act of 2009. This amendment is an important addition to this critical legislation, which I believe can be supported by every member of this committee.

Mr. Speaker, I was pleased to work with Chairman FRANK and his staff on significant portions of this Manager's Amendment to ensure that small and minority businesses along with local, community, and private banks gain fair and equitable access to the TARP funds. Small businesses are the backbone of our Nation, and unfortunately, they have not been afforded the opportunity that large financial institutions have received to TARP funds and loans. Small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country. Small business growth means economic growth for the Nation. We cannot stabilize and revitalize our economy without ensuring the inclusion and participation of the small business segment of our economy. With the ever worsening economic crisis, we must ensure in this legislation that small and minority businesses and community banks are afforded an opportunity to benefit from this important legislation. I am very pleased that this Manager's Amendment does just this.

In Section 107, the Manager's Amendment creates an Office of Minority and Women Inclusion, which will be responsible for developing and implementing standards and procedures to ensure the inclusion and utilization of minority and women-owned businesses. These businesses will include financial institutions, investment banking firms, mortgage banking firms, broker-dealers, accountants, and consultants. Furthermore, the inclusion of these businesses should be at all levels, including procurement, insurance, and all types of contracts such as the issuance or guarantee of debt, equity, or mortgage-related securities. This Office will also be responsible for diversity in the management, employment, and business activities of the TARP, including the management of mortgage and securities portfolios, making of equity investments, the sale and servicing of mortgage loans, and the implementation its affordable housing programs and initiatives.

Section 107 also calls for the Secretary of the Treasury to report to Congress in 180 days detailed information describing the actions taken by the Office of Minority and Women Inclusion, which will include a statement of the total amounts provided under TARP to small, minority, and women-owned businesses. The Manager's Amendment in Section 404 also has clarifying language ensuring that the Secretary has authority to support the availability of small business loans and loans to minority and disadvantaged businesses. This will be critical to ensuring that small and minority businesses have access to loans, financing, and purchase of asset-backed securities directly through the Treasury Department or the Federal Reserve.

I urge you to support this amendment.

Mr. DREIER. Mr. Speaker, at this time, I'm happy to yield 3 minutes to my friend from the Harrison Township of Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, I rise today to oppose this rule, but to reluctantly support the underlying legislation because it provides very important steps forward to providing a helping hand to our Nation's automotive industry.

And I certainly want to thank Chairman FRANK for his advocacy over the last few months on behalf of the auto industry. I also want to thank him for codifying in the legislation that the domestic auto industry is vital to our economy and national security. And providing the assistance that allows the industry to thrive in the future is in the national interest.

This bill says clearly that the auto companies and their financing arms are eligible for support under the TARP. And one only needs to look at the support already given to GMAC, whose immediate move was to free up credit. This provision is absolutely vital.

It also puts all of the stakeholders in the auto companies—workers, suppliers, dealers, bond holders, and others—on equal footing in making concessions to ensure the future prosperity of these companies.

It does not single out workers or any other group. And this is important to bring everyone to the table equally.

And on that basis, I would support this legislation, although I wish it had gone further to place similar mandates on the financial industry to those being asked of the automotive industry. Mr. Speaker, we have seen the CEOs of the auto companies dragged here to Capitol Hill and ridiculed by Members of Congress. We have not seen the same treatment of Wall Street executives receiving these funds.

We have seen leaders of the auto companies asking for help being asked to work for \$1 a year. We have not seen one leader on Wall Street asked to do the same. In fact, we have seen many of those executives at companies who have already received large sums under the TARP be given huge bonuses.

We have seen autoworkers vilified and told they make too much money, and we have not seen the same treatment of workers in the financial industry. And we have seen car companies forced to submit to Congress viability plans as a condition of support. Financial companies have not been held to the same standard. It's been a double standard. And it is long past time that those who caused our financial problems be treated at least in an equal way by this Congress as the auto companies who are, in large measure, victims of the failure of Wall Street.

Mr. MCGOVERN. Mr. Speaker, first I want to thank the gentlelady from Michigan, my Republican colleague, for making a very eloquent case as to why the bill that Chairman FRANK has put together is a bill worth supporting.

At this time, I would like to yield 4 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding to me and rise in reluctant opposition to the rule and in strong opposition to the bill.

Now, let us get this straight: Hank Paulson, the former Goldman Sachs boss, now Secretary of Treasury, wants \$350 billion more to burn after the first \$350 billion of our taxpayers' money was already wasted on the Wall Street bailout. Congress is being asked to do this a few days before a new President takes office. Hmmm, the timing of that even is suspicious just on the face of it. Why not wait until the new President takes office so he can really fix this right by using the FDIC and the SEC, as their past practices well demonstrate?

Why give all this power to Treasury? This would make sense to any reasoning person, unless of course you're one of the bankster beneficiaries who have been planning this heist for a long time. It's almost a perfect crime, too; complicated enough on the surface to intimidate the public and many in Congress by using fear of the future to mask what is being perpetrated.

The architects of this financial crime aim to cement the deal now—a perfect time—when the country is distracted, the Congress hoodwinked with no real oversight, at a moment of transition between two Presidents. The banksters

aim to secure their last overdose from the U.S. Treasury with little oversight. The question is, will Congress be hoodwinked again, losing all reason?

We can't even account for what was done with the first \$350 billion, so now we're supposed to double that and give more? What we do know is that the home foreclosure crisis wasn't helped by the first Wall Street bailout. Home foreclosures are escalating, getting worse. Why trust Treasury again? Meanwhile, Wall Street mega-banks have cleaned up as Main Streets across our country have lost 10 percent of their homes to foreclosure.

The first TARP was adopted without hearings, real debate or amendments, without proper justification, safeguards or oversight. And then the Secretary of Treasury didn't do anything to help the housing crisis, instead using the money for banks to buy other banks through capital infusions, which should have been done by the FDIC anyway.

Now it appears that Congress is gearing up to give the Secretary another \$350 billion to spend on—well, it's not exactly clear on what. The legislation states that \$40 to \$100 billion is intended for some kind of foreclosure relief without specifying how it is to be accomplished. Is a \$60 billion swing between these numbers the best we can do in estimating the cost of the program? That's more than we spend on several agencies of our government combined. What is the remaining \$250 billion to \$310 billion to be used for? Who decides? Just Treasury again? Is this lunacy or collusion?

If we are going to continue putting capital into financial institutions, shouldn't we at least order the SEC to stop destroying capital through outdated real estate accounting? Shouldn't we allow the President a bit of time to see if the Fed's very aggressive monetary policy activities, coupled with enormous deficit spending we've already done, are having any effect? Why this rush? It's overtime for justice to reign down. It's time for this Congress to assume its constitutional responsibilities and not cede our power to the executive branch.

□ 1600

May truth and justice will out. This bill won't get either.

I thank the gentleman very much for yielding.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to simply congratulate my friend from Ohio for her very thoughtful remarks and to associate myself with the remarks that she offered.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this has been a very challenging time for our Nation and



continues to be. I guess the stock market closed 1 minute ago, and when I last saw it before coming down here on the floor, the DOW was down an additional 250 points. We are going through what obviously have been difficult times all the way across the board.

My friends have pointed to the fact that we have had an unprecedented level of foreclosures on families who are in homes across the country, and my friend from Worcester correctly said that California has seen a 51 percent increase in the number of foreclosures. And it seems to me that we need to do everything that we possibly can to ensure, to ensure that the difficult economic times through which we're now going come to an end just as quickly as possible. And when I think of action that needs to be taken, I believe that we need to do what we can to ensure that the American people are encouraged, through good public policy emanating from the United States Congress, to engage in behavior that will help us reemerge.

Now, as we look at this issue of the Troubled Asset Relief Program, the notion of without any hearing, without any deliberation, without any discussion of trying to resolve those pressing questions that have been put before us that we would just go ahead with a bill that everyone acknowledges is not going to become law as cover for us to then release the \$350 billion is just plain wrong. I personally think that we should be incentivizing the American people with private market-oriented solutions to this problem.

Now, as I said in the Rules Committee last night, what I'm about to say I know will not eliminate foreclosures, but I think it will help to get at a very important problem that has been diminishing the value of homes across this country, and that is the number of foreclosures, by encouraging people to actually have a vested interest in their home.

Unfortunately, right now homes across this country are treated like rental units. Now, what do I mean by that? What I mean is that we know that many people have put absolutely nothing down on their homes, zero down, and have paid interest rates that have been dramatically below market, meaning they have no vested interest, no equity in that home. So what has happened? People have naturally walked away from those homes because they haven't had equity in it.

And then, of course, we have the problem where, because of the diminishing value and the size of mortgages that have existed, people's value, the asset, the equity that they have in that home is substantially less than what they owe; so they've been led to walk away from it for those reasons. And it's very tragic. And we all know from having spoken with families, as I have, I've had friends who've tragically lost their homes, and it's not easy.

So a week ago yesterday, I introduced legislation that would call pro-

spectively for us to do the following over the next 2 years: What we would do is we would say that an individual who agrees to put 5 percent down on their home, a 5 percent down payment, that they would have a \$2,000 Federal tax credit. If they were to put 10 percent down, they would have a tax credit of \$5,000. And if they put 15 percent down on that home, they would have a \$10,000 tax credit.

Now, why is it that I believe that that would play a role in solving this challenge that we have, Mr. Speaker? Because people would then have a vested interest. Remember I said that many people have put nothing down on their homes and have paid below-market interest; so they have been treated like rental units. If we will encourage people to develop equity in their homes, I believe that that would go a long way over many of these proposed massive multi-billion dollar expenditure packages, it would go a long way towards dealing with that huge surplus, the inventory of housing that we have. So these are the kinds of creative proposals that we need to address.

Unfortunately, the package that is before us has not allowed for a single hearing, a single discussion, a single debate in the 111th Congress on it. I will acknowledge, as I said, in the 110th Congress, sure, there were some hearings that were held. But we have so many new Members of this institution, both Democrat and Republican, and they have come here and are expected to be part of this process, and they have been completely shut out when it comes to the issue of deliberation on this measure that is going to be before us tomorrow as we move through this general debate period later this afternoon.

So, Mr. Speaker, I'm going to urge my colleagues to vote "no" on this rule and "no" on the underlying legislation that is before us because it is not, it is not, unfortunately, going to create the kind of positive solution that I believe the American people deserve and expect from us.

With that, Mr. Speaker, I yield back the balance of my time.

MR. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Let me be clear that the rule that we're talking about right now and the bill that we're talking about is not whether or not we should release the second \$350 billion. That's not what this is about. There is no funding attached to this bill. The final vote will be on how the money, if released, should be spent.

There are some who want to use this as a political football, but I think that would be a mistake. We know that there is an immediate crisis, and we need to deal with that. And we also know that banks are not releasing the funding that they received from the original \$350 billion. We know that homeowners aren't getting the help that they need.

Now, I'm all for recapitalizing banks, but funds used to recapitalize banks

should be used to help homeowners and to get the credit market moving again, not to raise stock prices or increase dividend payments for investors. Chairman FRANK believes that \$40 billion, a minimum of \$40 billion, of the remaining funds should be used to address the foreclosure crisis, and I agree with him. It is critical that we provide a real roadmap on how this funding should be spent.

The Congress will not be a rubber stamp of the executive branch, unlike the first 6 years of the Bush administration. We will work with the Obama administration. And I should say that the statement by the Obama administration, the statement by Larry Summers, is all very encouraging. It demonstrates a real appreciation of what average people are going through. But having said that, we will also express ourselves on important issues like the TARP.

Mr. Speaker, people do not want to hear our words. They don't want us to feel their pain. They want us to take action. There is a real crisis in this country. People are losing their homes. And in the bill that Chairman FRANK and his committee have crafted, there are substantial efforts in this bill that will reduce mortgage foreclosures. That is a big deal in my district. It is a big deal in the districts of every single Member in this Chamber. If somebody doesn't think that mortgage foreclosures are a problem, then I would suggest they go back to their districts because there's not a district in this country where this isn't a problem.

And while we argue about, well, let's delay this some more, well, we'll do even more hearings than the hundred hearings that have already been done on this issue, well, let's attach some roadblocks so that nothing can ever happen, while we talk about all those things, people are losing there are homes.

We were elected to help solve problems and fix things and make things better for people, for average people. And that is what this bill that Chairman FRANK has crafted attempts to do. This is a good bill. This complements what President-elect Obama has said he wants to do. This will help fix things. And I will remind my colleagues that President Obama's view of the economic crisis is vastly different, thank God, from the view of President George Bush.

So this is an important piece of legislation. It is important that Members of the House of Representatives have a say in how this money will be spent if it is approved. And I would urge people to vote "yes" on the previous question on the rule, and when the bill comes up, I will urge people to vote "yes" on the underlying bill.

MR. COLE. Mr. Speaker, I rise today to speak to H.R. 2 and the State Children's Health Insurance Program in general. Like many of my colleagues, I have been supportive of the underlying legislation. However, the way in which the underlying legislation has

been brought forward under a closed rule is unforgiveable. This is simply just one more example of the majority taking away the right of the minority to offer any type of substantive amendment or change to the legislation.

Let's review what has occurred this year with the Rules process. First, the majority has seen fit to remove the minority's ability to offer a motion to recommit a bill promptly, taking away a right that even Speaker Joe Cannon sought to guarantee to the minority. Additionally, as the first order of business, the majority decided to include two closed rules for H.R. 11—Lilly Ledbetter Fair Pay Act, and H.R. 12—Paycheck Fairness Act. Now, as their third order of business, the House Rules Committee and the Democratic Majority has decided to once again close off debate and reject the minority's request to be able to offer even one amendment.

Mr. Speaker, the fact is that this legislation was debated in the last Congress and the majority knows the minority has substantive and strong concerns regarding the way in which the underlying legislation will be implemented. This is a process that should be bipartisan. It is a program that has received bipartisan support in the past. It is a program that should be able to be genuinely debated. Why, in this time of dramatic political change, where the American people have demanded bipartisanship, is the majority closing off any and all debate?

Mr. Speaker, the underlying legislation represents an expansion of the SCHIP program that undermines its original purpose. By expanding the level of coverage to 300 percent of the Federal Poverty Level, FPL, this legislation goes far beyond the objective of covering low income families and now will cover some families who can even be subject to the Alternative minimum tax. This will eventually cause middle class families to be competing with the poor for coverage for their children, functionally turning it into another middle class entitlement program.

Furthermore, while this bill expands coverage for children, it does much more. It now begins to cover childless adults, it contains provisions to expand coverage to low-income parents, and creates an Express Lane Enrollment Option for states. The Express Lane Enrollment Option is, perhaps, one of the most egregious provisions in the bill. It will functionally allow states to insure children who come from families making 330 percent of the Federal poverty level.

Also, let's take a look at how the majority derives the money to pay for this radical expansion of health insurance. First, they increase the tobacco tax. However, the majority ignores the fact that increasing this tax almost always lowers the level of smoking, thus causing a delta between estimated and actual revenues to be derived from this tax increase. Additionally, the majority has seen fit to cut SCHIP funding in the final budget year, using this as a workaround so that it complies with the PAYGO budget requirements.

Mr. Speaker, while the original SCHIP has been supported on a bipartisan basis, this legislation is neither bipartisan, nor fair. It certainly cannot be seen to be in accord with our new President-Elect's position that we should work in a bipartisan manner.

Mr. Speaker, with this in mind, I would encourage all members to vote against the rule, and the underlying legislation. There is no way

that this Rule can be considered anything but an exercise in raw, crass one-sided partisanship. Vote against the return of an imperial Congress, and vote against this rule.

Mr. HARE. Mr. Speaker, I rise in strong support of this rule and the underlying legislation, H.R. 384, the TARP Reform and Accountability Act of 2009.

Let's review some of the headlines we've heard recently.

ABC News: "After Bailout, AIG Execs Head to California Resort"

NY Daily News: "Bailout will let Wall Street CEOs Keep Golden Parachutes"

Washington Post: "Limits on Executive Pay May Prove Toothless"

Enough is Enough!

We are currently facing the worst economic crisis since the Great Depression. People are losing their jobs, homes, health care, and pensions.

I joined the majority of my colleagues last Congress to give the current Administration the authority to help restore the flow of credit in this country. In doing so, we authorized the Treasury to loan up to \$700 billion to institutions that were in danger of shutting their doors and called it the Troubled Assets Relief Program (TARP). Not passing the TARP would have led to a financial meltdown with unthinkable consequences for all Americans, including the loss of even more jobs.

While I stand by my decision, I am angered by the way the Bush Administration has carried out this program and how certain financial institutions have abused taxpayer dollars.

I also believe the financial rescue package did not go far enough in helping working Americans stay in their homes. That is why I strongly support the legislation before us today. It includes provisions that will require the Treasury to take significant steps to prevent home foreclosures.

Additionally, the bill provides necessary conditions for the release of the second \$350 billion, such as: increasing transparency and strengthening accountability; closing loopholes for executive compensation; and allowing small financial institutions to be on the same playing field for receiving funds.

This legislation must pass if we are to release the second half of the TARP funds to President-elect Obama. This is the bottom line: Either the banks spend this money to free up credit or they don't get it all. The days of CEO's enriching themselves with taxpayer money while average Americans struggle to make ends meet are over. Our country deserves better.

I urge my colleagues to vote "yes" on the rule and the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adopting House Resolution 53 will be followed by a 5-minute

vote on suspending the rules and adopting House Resolution 40.

The vote was taken by electronic device, and there were—yeas 235, nays 191, not voting 7, as follows:

[Roll No. 17]

YEAS—235

Abercrombie	Green, Gene	Neal (MA)
Ackerman	Griffith	Oberstar
Adler (NJ)	Grijalva	Obey
Andrews	Gutierrez	Olver
Arcuri	Hall (NY)	Ortiz
Baca	Halvorson	Pallone
Baird	Hare	Pascarell
Baldwin	Harman	Pastor (AZ)
Barrow	Hastings (FL)	Payne
Bean	Heinrich	Perlmutter
Becerra	Higgins	Peters
Berkley	Himes	Peterson
Berman	Hinchey	Pingree (ME)
Berry	Hinojosa	Polis (CO)
Bishop (GA)	Hirono	Pomeroy
Bishop (NY)	Hodes	Price (NC)
Blumenauer	Holden	Rahall
Bocciari	Holt	Rangel
Boren	Honda	Reyes
Boswell	Hoyer	Richardson
Boyd	Inslee	Rodriguez
Brady (PA)	Israel	Ross
Braley (IA)	Jackson (IL)	Rothman (NJ)
Brown, Corrine	Jackson-Lee	Royal-Allard
Butterfield	(TX)	Ruppersberger
Capps	Johnson (GA)	Rush
Capuano	Johnson, E. B.	Ryan (OH)
Cardoza	Kagen	Salazar
Carnahan	Kanjorski	Sánchez, Linda
Carney	Kennedy	T.
Carson (IN)	Kildee	Sarbanes
Castor (FL)	Kilpatrick (MI)	Schakowsky
Chandler	Kilroy	Schauer
Clarke	Kind	Schiff
Clay	Kirkpatrick (AZ)	Schrader
Cleaver	Kissell	Schwartz
Clyburn	Klein (FL)	Scott (GA)
Cohen	Kosmas	Scott (VA)
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sestak
Cooper	Larson (CT)	Shea-Porter
Costa	Lee (CA)	Sires
Costello	Levin	Skelton
Courtney	Lewis (GA)	Slaughter
Crowley	Lipinski	Smith (WA)
Cuellar	Loebach	Space
Cummings	Lofgren, Zoe	Speier
Dahlkemper	Lowe	Spratt
Davis (AL)	Luján	Stark
Davis (CA)	Lynch	Stupak
Davis (IL)	Maffei	Sutton
Davis (TN)	Maloney	Tanner
DeFazio	Markey (CO)	Tauscher
DeGette	Markey (MA)	Teague
Delahunt	Marshall	Thompson (CA)
DeLauro	Matheson	Thompson (MS)
Dicks	Matsui	Tierney
Dingell	McCarthy (NY)	Titus
Doggett	McCollum	Tonko
Donnelly (IN)	McDermott	Towns
Doyle	McGovern	Tsongas
Driehaus	McIntyre	Van Hollen
Edwards (MD)	McMahon	Velázquez
Edwards (TX)	McNerney	Visclosky
Ellison	Meek (FL)	Walz
Ellsworth	Meeks (NY)	Wasserman
Engel	Melancon	Schultz
Eshoo	Michaud	Waters
Etheridge	Miller (NC)	Watson
Farr	Miller, George	Watt
Fattah	Mitchell	Waxman
Finer	Mollohan	Weiner
Foster	Moore (KS)	Welch
Frank (MA)	Moore (WI)	Wexler
Fudge	Moran (VA)	Wilson (OH)
Gillibrand	Murphy (CT)	Woolsey
Gonzalez	Murphy, Patrick	Wu
Gordon (TN)	Murtha	Yarmuth
Grayson	Nadler (NY)	
Green, Al	Napolitano	

NAYS—191

Aderholt	Barrett (SC)	Blackburn
Akin	Bartlett	Blunt
Alexander	Barton (TX)	Boehner
Altmire	Biggart	Bonner
Austria	Bilbray	Bono Mack
Bachmann	Bilirakis	Boozman
Bachus	Bishop (UT)	Boustany



Brady (TX) Hensarling  
Bright Herger  
Broun (GA) Hill  
Brown (SC) Hoekstra  
Brown-Waite, Hunter  
Ginny Inglis  
Buchanan Issa  
Burgess Jenkins  
Burton (IN) Johnson (IL)  
Buyer Johnson, Sam  
Calvert Jones  
Camp Jordan (OH)  
Campbell Kaptur  
Cantor King (IA)  
Cao King (NY)  
Capito Kingston  
Carter Kirk  
Cassidy Kline (MN)  
Castle Kratochvil  
Chaffetz Kucinich  
Childers Lamborn  
Coble Lance  
Coffman (CO) Latham  
Cole LaTourette  
Conaway Latta  
Crenshaw Lee (NY)  
Culberson Lewis (CA)  
Davis (KY) Linder  
Deal (GA) LoBiondo  
Dent Lucas  
Diaz-Balart, L. Luetkemeyer  
Diaz-Balart, M. Lummis  
Dreier Lungren, Daniel  
Duncan E.  
Ehlers Mack  
Emerson Marchant  
Fallin Massa  
Flake McCarthy (CA)  
Fleming McCaul  
Forbes McClintock  
Fortenberry McCotter  
Foxy McHenry  
Franks (AZ) McHugh  
Frelinghuysen McKeon  
Gallegly McMorris  
Garrett (NJ) Rodgers  
Gerlach Mica  
Giffords Miller (FL)  
Gingrey (GA) Miller (MI)  
Gohmert Miller, Gary  
Goodlatte Minnick  
Granger Moran (KS)  
Graves Murphy, Tim  
Guthrie Myrick  
Hall (TX) Neugebauer  
Harper Nunes  
Hastings (WA) Nye  
Heller Olson

## NOT VOTING—7

Boucher Sherman  
Hersth Sandlin Snyder  
Manzullo Solis (CA)

□ 1638

Messrs. FLAKE and BACHUS changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# REQUIRING COMMITTEES TO INVESTIGATE REPORTS OF WASTE, FRAUD, ABUSE, OR MISMANAGEMENT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 40, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the

rules and agree to the resolution, H. Res. 40, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 11, as follows:

[Roll No. 18]

YEAS—423

Abercrombie Courtney  
Ackerman Crenshaw  
Aderholt Crowley  
Adler (NJ) Cuellar  
Akin Culberson  
Alexander Cummings  
Altmire Dahlkemper  
Andrews Davis (AL)  
Arcuri Davis (CA)  
Austria Davis (IL)  
Baca Davis (KY)  
Bachmann Davis (TN)  
Bachus Deal (GA)  
Baird DeFazio  
Baldwin DeGette  
Barrett (SC) Delahunt  
Barrow DeLauro  
Bartlett Dent  
Barton (TX) Diaz-Balart, L.  
Bean Diaz-Balart, M.  
Becerra Dicks  
Berkley Dingell  
Berman Doggett  
Berry Kaptur  
Biggert Kennedy  
Bilbray Donnelly (IN)  
Bilirakis Doyle  
Bishop (GA) Dreier  
Bishop (NY) Driehaus  
Bishop (UT) Duncan  
Blackburn Edwards (MD)  
Blumenauer Edwards (TX)  
Blunt Ehlers  
Boccheri Ellsworth  
Boehner Emerson  
Bonner Engel  
Bono Mack Eshoo  
Boozman Etheridge  
Boren Fallin  
Boswell Farr  
Boustany Fattah  
Boyd Filner  
Brady (PA) Flake  
Brady (TX) Fleming  
Braley (IA) Forbes  
Bright Foster  
Broun (GA) Foxx  
Brown (SC) Frank (MA)  
Brown, Corrine Franks (AZ)  
Brown-Waite, Frelinghuysen  
Ginny Fudge  
Buchanan Gallegly  
Burgess Garrett (NJ)  
Burton (IN) Gerlach  
Butterfield Giffords  
Calvert Gillibrand  
Camp Gingrey (GA)  
Campbell Gohmert  
Cantor Gonzalez  
Cao Goodlatte  
Capito Gordon (TN)  
Capps Granger  
Capuano Graves  
Cardoza Grayson  
Carnahan Green, Al  
Carney Green, Gene  
Carson (IN) Griffith  
Carter Grijalva  
Cassidy Guthrie  
Castle Gutierrez  
Castor (FL) Hall (NY)  
Chaffetz Hall (TX)  
Chandler Halvorson  
Childers Hare  
Clarke Harman  
Clay Harper  
Cleaver Hastings (FL)  
Clyburn Hastings (WA)  
Coble Heinrich  
Coffman (CO) Heller  
Cohen Hensarling  
Cohen Herger  
Cole Higgins  
Conaway Hill  
Connolly (VA) Himes  
Conyers Hinchey  
Cooper Hinojosa  
Costa Hirono  
Costello Hodes

McMorris Price (GA)  
Rodgers Price (NC)  
McNerney Putnam  
Meek (FL) Radanovich  
Meeks (NY) Rahall  
Melancon Rangel  
Mica Rehberg  
Michaud Reichert  
Miller (FL) Reyes  
Miller (MI) Richardson  
Miller (NC) Rodriguez  
Miller, Gary Roe (TN)  
Miller, George Rogers (AL)  
Minnick Rogers (KY)  
Mitchell Rogers (MI)  
Mollohan Rohrabacher  
Moore (KS) Rooney  
Moore (WI) Ros-Lehtinen  
Moran (KS) Roskam  
Moran (VA) Ross  
Murphy (CT) Rothman (NJ)  
Murphy, Patrick Roybal-Allard  
Murphy, Tim Royce  
Murtha Rumpersberger  
Myrick Rush  
Nadler (NY) Ryan (OH)  
Napolitano Ryan (WI)  
Neal (MA) Salazar  
Neugebauer Sánchez, Linda  
Nunes T.  
Nye Sanchez, Loretta  
Oberstar Sarbanes  
Obey Scalise  
Olson Schakowsky  
Oliver Schauer  
Ortiz Schiff  
Pallone Schmidt  
Pascarell Schrader  
Pastor (AZ) Schwartz  
Paul Scott (GA)  
Paulsen Scott (VA)  
Payne Sensenbrenner  
Pelosi Serrano  
Pence Sessions  
Perlmutter Sestak  
Perriello Shadegg  
Peters Shea-Porter  
Peterson Shimkus  
Petri Shuler  
Pingree (ME) Shuster  
Pitts Simpson  
Platts Sires  
Poe (TX) Skelton  
Polis (CO) Slaughter  
Pomeroy Smith (NE)  
Posey Smith (NJ)

## NOT VOTING—11

Boucher Johnson, E. B.  
Buyer Manzullo  
Ellison Schock  
Hersth Sandlin Sherman

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1647

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ELLISON. Mr. Speaker, on rollcall No. 18, had I been present, I would have voted “yea.”

## PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Speaker, a family emergency required me to miss the last series of votes held today. Had I been present, I would have voted “no” on rollcall No. 17 (H. Res. 53) and “yea” on rollcall No. 18 (H. Res. 40).